

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00734-APM**

DEMOCRACY FORWARD FOUNDATION v.  
DEPARTMENT OF JUSTICE  
Assigned to: Judge Amit P. Mehta  
Cause: 05:552 Freedom of Information Act

Date Filed: 04/02/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DEMOCRACY FORWARD  
FOUNDATION**

represented by **Robin Frances Thurston**  
DEMOCRACY FORWARD  
FOUNDATION  
P.O. Box 34553  
Washington, DC 20043  
(202) 448-9090  
Email: [rthurston@democracyforward.org](mailto:rthurston@democracyforward.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Javier M. Guzman**  
DEMOCRACY FORWARD  
FOUNDATION  
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(202) 448-9090  
Email: [jguzman@democracyforward.org](mailto:jguzman@democracyforward.org)  
**TERMINATED: 12/02/2019**

V.

**Defendant**

**DEPARTMENT OF JUSTICE**

represented by **Kevin Matthew Snell**  
U.S. DEPARTMENT OF JUSTICE  
Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington, DC 20005  
(202) 305-0924  
Fax: (202) 616-8460  
Email: [kevin.snell@usdoj.gov](mailto:kevin.snell@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Rhonda Lisa Campbell**  
U.S. ATTORNEY'S OFFICE FOR THE  
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**TERMINATED: 05/07/2018**

**Amicus**

**AMERICAN OVERSIGHT**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Amicus**

**CITIZENS FOR RESPONSIBILITY  
AND ETHICS IN WASHINGTON**

represented by **Austin Ridgely Evers**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Amicus**

**NATIONAL SECURITY  
COUNSELORS**

represented by **Austin Ridgely Evers**  
(See above for address)  
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**Amicus**

**OPEN THE GOVERNMENT**

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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Amicus**

**PROJECT ON GOVERNMENT  
OVERSIGHT**

represented by **Austin Ridgely Evers**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Amicus**

**PUBLIC CITIZEN, INC.**

represented by **Austin Ridgely Evers**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Amicus**

**SUNLIGHT FOUNDATION**

represented by **Austin Ridgely Evers**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

| Date Filed | #        | Docket Text   |
|------------|----------|---|
| 04/02/2018 | <u>1</u> | COMPLAINT against DEPARTMENT OF JUSTICE ( Filing fee \$ 400 receipt number 0090-5399741) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Guzman, Javier) (Entered: 04/02/2018) |
| 04/02/2018 | <u>2</u> | LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Guzman, Javier) (Entered: 04/02/2018)   |
| 04/02/2018 |          | Case Assigned to Judge Amit P. Mehta. (zsth) (Entered: 04/03/2018)  |
| 04/03/2018 | <u>3</u> | SUMMONS (3) Issued Electronically as to DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 04/03/2018)   |
| 04/16/2018 | <u>4</u> | NOTICE of Appearance by Robin Frances Thurston on behalf of All Plaintiffs (Thurston, Robin) (Entered: 04/16/2018)  |

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| 04/16/2018 | <u>5</u>  | ENTERED IN ERROR.....RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. All Plaintiffs (Attachments: # <u>1</u> Declaration)(Thurston, Robin) Modified on 4/17/2018 (jf). (Entered: 04/16/2018)  |
| 04/17/2018 |           | NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>5</u> Summons Returned Executed as to Federal Defendant was entered in error and counsel was instructed to refile said pleading using the correct event(s) and must select each defendant and not the plaintiff. (jf) (Entered: 04/17/2018)   |
| 04/19/2018 | <u>6</u>  | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF JUSTICE served on 4/5/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 4/5/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/5/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 5/5/2018.) (Attachments: # <u>1</u> Declaration)(Thurston, Robin) (Entered: 04/19/2018) |
| 04/30/2018 | <u>7</u>  | NOTICE of Appearance by Rhonda Lisa Campbell on behalf of DEPARTMENT OF JUSTICE (Campbell, Rhonda) (Entered: 04/30/2018)   |
| 05/07/2018 | <u>8</u>  | NOTICE OF SUBSTITUTION OF COUNSEL by Kevin Matthew Snell on behalf of All Defendants Substituting for attorney Rhonda Campbell (Snell, Kevin) (Entered: 05/07/2018)  |
| 05/07/2018 | <u>9</u>  | ANSWER to Complaint by DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Exhibit A – FOIA Request, # <u>2</u> Exhibit B – February 28, 2018 Letter)(Snell, Kevin) (Entered: 05/07/2018)  |
| 05/09/2018 | <u>10</u> | ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before May 23, 2018. See attached Order for details. Signed by Judge Amit P. Mehta on 05/09/2018. (lcapm3) (Entered: 05/09/2018)  |
| 05/09/2018 |           | Set/Reset Deadlines/Hearings: Joint Status Report due by 5/23/2018. (zcdw) (Entered: 05/11/2018)   |
| 05/23/2018 | <u>11</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 05/23/2018)   |
| 05/24/2018 |           | MINUTE ORDER entering the Open America briefing schedule proposed in the parties' <u>11</u> Joint Status Report. The schedule for further proceedings in this matter is as follows: (1) Defendant's Motion for a Stay shall be filed no later than June 22, 2018; (2) Plaintiff's Opposition shall be filed no later than July 13, 2018; (3) Defendant's Reply shall be filed no later than July 27, 2018. Signed by Judge Amit P. Mehta on 05/24/2018. (lcapm3) (Entered: 05/24/2018)   |
| 05/24/2018 |           | Set/Reset Deadlines: Defendant's Motion for Stay due by 6/22/2018. Plaintiff's Opposition due by 7/13/2018. Defendant's Reply due by 7/27/2018. (zjd) (Entered: 05/25/2018)  |
| 06/22/2018 | <u>12</u> | MOTION to Stay by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration Vanessa R. Brinkmann, # <u>2</u> Text of Proposed Order)(Snell, Kevin) (Entered: 06/22/2018)  |
| 07/09/2018 | <u>13</u> | Consent MOTION for Extension of Time to File Response/Reply re <u>12</u> MOTION to Stay by DEMOCRACY FORWARD FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Thurston, Robin) . (Entered: 07/09/2018)  |
| 07/10/2018 |           | MINUTE ORDER granting <u>13</u> Motion for Extension of Time. The schedule for further proceedings in this matter is as follows: Plaintiff's Opposition to Defendant's <u>12</u> Motion for Stay shall be filed no later than July 20, 2018; and Defendant's Reply shall be filed no later than August 8, 2018. Signed by Judge Amit P. Mehta on 07/10/2018. (lcapm3) (Entered: 07/10/2018)  |
| 07/10/2018 |           | Set/Reset Deadlines: Plaintiff's Opposition due by 7/20/2018. Defendant's Reply due by 8/8/2018. (zjd) (Entered: 07/10/2018)   |

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| 07/20/2018 | <u>14</u> | MOTION for Leave to File <i>AMICUS CURIAE MEMORANDUM</i> by AMERICAN OVERSIGHT, CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, NATIONAL SECURITY COUNSELORS, OPEN THE GOVERNMENT, PROJECT ON GOVERNMENT OVERSIGHT, PUBLIC CITIZEN, INC., SUNLIGHT FOUNDATION (Attachments: # <u>1</u> Exhibit AMICUS CURIAE MEMORANDUM, # <u>2</u> Text of Proposed Order PROPOSED ORDER)(Evers, Austin) (Entered: 07/20/2018) |
| 07/20/2018 | <u>15</u> | Memorandum in opposition to re <u>12</u> MOTION to Stay filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Exhibit)(Thurston, Robin) . (Entered: 07/20/2018)   |
| 07/23/2018 |           | MINUTE ORDER granting <u>14</u> Motion for Leave to File Amicus Curiae Brief in support of Plaintiff's Opposition to Defendant's Motion for Stay of Proceedings. Signed by Judge Amit P. Mehta on 07/23/2018. (lcapm3) (Entered: 07/23/2018)  |
| 07/23/2018 | <u>16</u> | AMICUS BRIEF re <u>12</u> MOTION to Stay by AMERICAN OVERSIGHT, CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, NATIONAL SECURITY COUNSELORS, OPEN THE GOVERNMENT, PROJECT ON GOVERNMENT OVERSIGHT, PUBLIC CITIZEN, INC., SUNLIGHT FOUNDATION. (jf) (Entered: 07/24/2018)   |
| 08/08/2018 | <u>17</u> | REPLY to opposition to motion re <u>12</u> MOTION to Stay filed by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 08/08/2018)  |
| 10/15/2018 | <u>18</u> | NOTICE of Change of Address by Kevin Matthew Snell (Snell, Kevin) (Entered: 10/15/2018)   |
| 12/07/2018 | <u>19</u> | MEMORANDUM OPINION and ORDER granting <u>12</u> Defendant Department of Justice's Motion for Stay. These proceedings shall be stayed until January 13, 2019, and this court will retain jurisdiction over this matter. Please see attached Order for additional details. Signed by Judge Amit P. Mehta on 12/07/2018. (lcapm1) (Entered: 12/07/2018)  |
| 12/07/2018 |           | Set/Reset Deadlines: Joint Status Report due by 2/13/2019. (zjd) (Entered: 12/07/2018)  |
| 01/04/2019 | <u>20</u> | MOTION to Stay <i>in Light of Lapse of Appropriations</i> by DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Snell, Kevin) (Entered: 01/04/2019)   |
| 01/07/2019 | <u>21</u> | NOTICE of Non–Opposition to Motion for a Stay <i>in Light of Lapse of Appropriations</i> by DEPARTMENT OF JUSTICE (Snell, Kevin) (Entered: 01/07/2019)  |
| 01/08/2019 |           | MINUTE ORDER granting <u>20</u> Motion for a Stay. This matter is hereby stayed. Within three business days of Department of Justice operations resuming, Defendant shall notify the court by when the parties will file their Joint Status Report. Signed by Judge Amit P. Mehta on 01/08/2019. (lcapm3) (Entered: 01/08/2019)   |
| 01/29/2019 | <u>22</u> | NOTICE to the Court of Restoration of Appropriations and Anticipated Filing Date by DEPARTMENT OF JUSTICE (Snell, Kevin) (Entered: 01/29/2019)  |
| 01/29/2019 |           | MINUTE ORDER. The parties shall file their next Joint Status Report no later than March 20, 2019. Signed by Judge Amit P. Mehta on 01/29/2019. (lcapm3) (Entered: 01/29/2019)   |
| 01/29/2019 |           | Set/Reset Deadlines: Joint Status Report due by 3/20/2019. (zjd) (Entered: 02/04/2019)  |
| 03/20/2019 | <u>23</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 03/20/2019)  |
| 03/22/2019 |           | MINUTE ORDER. The parties shall file a Joint Status Report by August 20, 2019, which proposes next steps in this matter. If further litigation will be required, the parties shall recommend a briefing schedule. Signed by Judge Amit P. Mehta on 3/22/2019. (lcapm2) (Entered: 03/22/2019)  |
| 03/22/2019 |           | Set/Reset Deadlines: Joint Status Report due by 8/20/2019. (zjd) (Entered: 03/25/2019)  |
| 08/20/2019 | <u>24</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 08/20/2019)  |

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| 08/22/2019 |           | MINUTE ORDER. The parties shall file a Joint Status Report by November 20, 2019, recommending a schedule for further proceedings, if necessary. Signed by Judge Amit P. Mehta on 8/22/2019. (lcapm3) (Entered: 08/22/2019)   |
| 08/22/2019 |           | Set/Reset Deadlines: Joint Status Report due by 11/20/2019. (kt) (Entered: 08/22/2019)   |
| 11/20/2019 | <u>25</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 11/20/2019)   |
| 11/20/2019 |           | MINUTE ORDER. The parties shall file a Joint Status Report by December 20, 2019, recommending a schedule for further proceedings, if necessary. Signed by Judge Amit P. Mehta on 11/20/2019. (lcapm3) (Entered: 11/20/2019)  |
| 11/20/2019 |           | Set/Reset Deadlines: Joint Status Report due by 12/20/2019. (zjd) (Entered: 11/21/2019)  |
| 12/02/2019 | <u>26</u> | NOTICE OF WITHDRAWAL OF APPEARANCE as to DEMOCRACY FORWARD FOUNDATION. Attorney Javier M. Guzman terminated. (Guzman, Javier) (Entered: 12/02/2019)  |
| 12/20/2019 | <u>27</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 12/20/2019)   |
| 12/20/2019 |           | MINUTE ORDER. The parties shall file an additional Joint Status Report by January 30, 2020, which updates the court on Defendant's production of responsive records. Signed by Judge Amit P. Mehta on 12/20/2019. (lcapm1) (Entered: 12/20/2019)   |
| 12/20/2019 |           | Set/Reset Deadlines: Joint Status Report due by 1/30/2020. (zjd) (Entered: 12/26/2019)   |
| 01/30/2020 | <u>28</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 01/30/2020)   |
| 01/30/2020 |           | ENTERED IN ERROR.....MINUTE ORDER. The parties shall file an additional Joint Status Report by March 29, 2020, which updates the court on Defendant's production of responsive records. Signed by Judge Amit P. Mehta on 01/30/2020. (lcapm3) Modified on 1/30/2020. (Entered: 01/30/2020) |
| 01/30/2020 |           | MINUTE ORDER. The parties shall file an additional Joint Status Report by May 29, 2020, which updates the court on Defendant's production of responsive records. Signed by Judge Amit P. Mehta on 01/30/2020. (lcapm3) (Entered: 01/30/2020)   |
| 01/30/2020 |           | Set/Reset Deadlines: Joint Status Report due by 5/29/2020. (zjd) (Entered: 01/31/2020)   |
| 01/30/2020 |           | NOTICE OF CORRECTED DOCKET ENTRY: The Minute Order entered in error on 1/30/2020 includes the incorrect due date. (zjd) (Entered: 01/31/2020)  |
| 05/29/2020 | <u>29</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 05/29/2020)   |
| 05/29/2020 |           | MINUTE ORDER. The parties shall file an additional Joint Status Report by June 29, 2020, which advises the court whether summary judgment briefing will be necessary and, if so, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 05/29/2020. (lcapm3) (Entered: 05/29/2020) |
| 05/29/2020 |           | Set/Reset Deadlines: Joint Status Report due by 6/29/2020. (zjd) (Entered: 05/29/2020)   |
| 06/29/2020 | <u>30</u> | Joint STATUS REPORT by DEPARTMENT OF JUSTICE. (Snell, Kevin) (Entered: 06/29/2020)   |
| 06/30/2020 |           | MINUTE ORDER. The parties shall file an additional Joint Status Report by July 29, 2020, which advises the court whether summary judgment briefing will be necessary and, if so, proposes a briefing schedule. Signed by Judge Amit P. Mehta on 06/30/2020. (lcapm3) (Entered: 06/30/2020) |
| 06/30/2020 |           | Set/Reset Deadlines: Joint Status Report due by 7/29/2020. (zjd) (Entered: 06/30/2020)   |